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To:

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File #:

Examiner Bruce F. Bell

(Art Unit: 8686)

571-273-8300

026849.077166

Pages:

From:

5 (including cover)

Date:

December 15, 2008

Rachel M. Murray

Re:

Request For Reconsideration for U.S. Patent Application 10/563,541 for "APPARATUS FOR PRODUCING OZONE BY ELECTROLYSIS"; Filed: December 24, 2005; Inventor:

Nam, Sang Seon

Examiner Bell:

Please see attached documents.

Sincerely, Ober/Kaler

Legal Secretary

I hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office on the date shown below.

(Rachel M. Murray) December 15, 2008

OBER

Ober, Kaler, Grimes & Shriver Attorneys at Law

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TRANSMITTAL VIA FACSIMILE # (571) 273-8300 CONFIRMATION BY FIRST CLASS MAIL

OBER, KALER, GRIMES&SHRIVER

To The Honorable Commissioner of Patents and Trademarks Mail Stop Amendment P.O. Box 1450 Alexandria, VA 22313-1450

Re:

Request For Reconsideration for U.S. Patent Application 10/563,541 for "APPARATUS FOR PRODUCING OZONE BY ELECTROLYSIS"; Filed: December 24, 2005; Inventor: Nam, Sang Seon

Dear Sir:

Enclosed, please find the following:

- 1. Request For Reconsideration responsive to the Official Action dated September 30, 2008; and
- 2. Our post card. Please date stamp and return.

Please charge any deficit or unanticipated fees to our Deposit Account 50-3391 and post the following as the attorney docket number: 026849.077166 (a duplicate copy of this charge authorization is attached.) Thank you for your cooperation and assistance.

I HEREBY CERTIFY that on December 15, 2008, one copy of the above-referenced documents was transmitted by Facsimile and 1st class mail to the United States Patent and Trademark Office - c/o Examiner Bruce F. Bell, Art Unit 8686, at Fax # 571-273-8300, with confirmation copy by 1st class mail.



Oher, Kaler, Grimes & Shriver Attorneys at Law

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Respectfully submitted,

Reyal/W. Craig/ Reg. No. 34,145

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Nam, Sang Seon

Examiner:

Bell, Bruce F.

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Appln. No. 10/563,541

Art Unit:

1795

Filed: 12/24/2005

Conf. No.

8686

For:

Apparatus for Producing Ozone by Electrolysis

Mail Stop Amendment

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

REQUEST FOR RECONSIDERATION

Sir:

In response to the final Office Action dated September 30, 2008, in the above-identified case, reconsideration is requested of the Examiner's decision to make the Office Action final.

In the Office Action dated January 8, 2008, claims 1, 3, and 4 were rejected under 35 U.S.C. § 102(b) as being anticipated by Goto et al. (US 5256268), and claim 2 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Goto et al. Claim 5 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Goto et al. in view of DeNora et al. (US 4162953). Applicant responded thereto by limiting the device to ("consisting of") an anode, cathode, solid polymer electrolyte membrane disposed between the anode and the cathode, and an auxiliary electrode disposed between the cathode and the solid polymer electrolyte membrane, and by requiring the auxiliary electrode to be "in the form of a net having 10-100 meshes and a thickness of 0.1-2.0 mm."

In this most recent final Office Action, the Examiner found the Applicant's argument